

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE)
PETITION OF UNITED TELEPHONE)
COMPANY OF INDIANA, INC., D/B/A)
SPRINT ("SPRINT") TO INITIATE)
A PROCEEDING IN ACCORDANCE)
WITH SPRINT'S STIPULATION AND)
SETTLEMENT AGREEMENT AND)
THE COMMISSION'S DECEMBER 29,)
1999 ORDER IN CAUSE NO. 40785-S3)
RESPONDENT: UNITED TELEPHONE)
COMPANY OF INDIANA, INC., D/B/A)
SPRINT ("SPRINT"))

FILED

DEC 15 2003

INDIANA UTILITY
REGULATORY COMMISSION

CAUSE NO. 42459

You are hereby notified that on this date, the Indiana Utility Regulatory Commission has caused the following entry to be made:

On December 8, 2003, the evidentiary hearing on the Settlement in this Cause was held. As a result of a publication error, the hearing was continued to December 22, 2003. The presiding officers now find that Sprint should answer the following questions by Wednesday, December 17, 2003:

Service Quality

1. Sprint has agreed to provide performance results on a disaggregated level for three performance standards. If Sprint is not in compliance with the standards only at this disaggregated level, is it subject to suspension of pricing flexibility?
2. Where in the Settlement Agreement are the requirements for the filing of Service Quality reports (i.e. when, how often and for what period of time)? If it is not in the Settlement, what is Sprint's understanding of the requirements?

High Speed Services

1. The settlement indicates a commitment to achieve certain high speed services availability milestones: 50% and 70% access lines within approx. 2 years and 5 years, respectively. What is the current percentage of Sprint access lines with availability of high speed service as provided by Sprint or an affiliate? Percentage of access with availability of high speed services provided by entities not affiliated with Sprint?
2. The settlement contains an allowance for access lines availability of high services provided by entities that are not affiliated with Sprint (or one of its affiliates) to count for up to 5% of the milestones. Does this mean that if such a provider(s) fully satisfy the 5% that Sprint and/or an affiliate and/or a partner would only have to provide availability for 45% and 65% at each milestone date?

3. For the purpose of calculating any of the percentage of access lines with access to high speed services(50%, 70%, 5%), would an individual access line with availability of high speed services be counted only once regardless of the number of high service providers or high service technological options available to that access line?

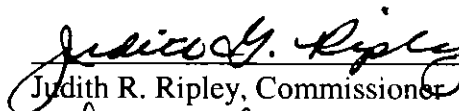
Access Charges/All Commitments in Prior Settlement

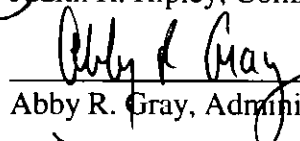
There were a number of elements in the last settlement related to commitments to eliminate or reduce access charges (and other commitments). It is not readily apparent that these commitments were fulfilled. Please comment on whether the prior commitments were met. Also, the settlement appears to be silent on the continued elimination of the previously eliminated access charge elements. Please clarify whether these access rate elements continue to be eliminated.

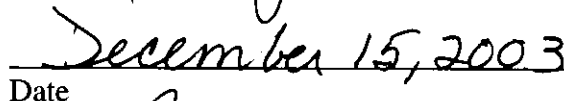
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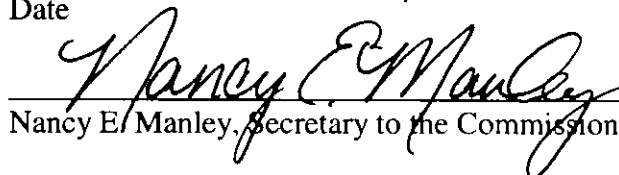
1. The Price Regulation Plan allows Sprint to lower prices at the exchange level if a facilities-based competitor offers the same or comparable service at a lower rate. a) Please explain what documentation Sprint would provide to the Commission to demonstrate this circumstance has occurred. b) For Tier 1 services, which tariff filing process would Sprint follow to lower prices at the exchange level?
2. Exhibit B of the Settlement Agreement lists services by regulation category or "tiers". How are multi-line business and additional residential lines categorized?
3. The current Settlement Agreement approved in Dec. 1999 eliminated intrastate subscriber line charges for primary and secondary residential and single-line business customers. Similar to the issue raised about access charges generally above, the proposed Settlement Agreement is silent on subscriber line charges. However, it states that Tier 1 rates, which are basic local service or related services, will be capped at the current levels. Does this cap include the intrastate subscriber line charge for all the customers listed above?

IT IS SO ORDERED.


Judith R. Ripley, Commissioner


Abby R. Gray, Administrative Law Judge


Date


Nancy E. Manley, Secretary to the Commission